

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTHONY WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-12
)	Judge Gary L. Lancaster
LT. FORTE, et al.,)	Magistrate Judge Caiazza
)	
Defendants.)	

MEMORANDUM ORDER

Anthony William's civil rights complaint was received by the Clerk of Court on January 5, 2004, and was referred to United States Magistrate Judge Francis X. Caiazza for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates. The matter was dismissed for failure to prosecute, but was remanded to this Court by the Court of Appeals. It was again assigned to Magistrate Judge Caiazza, but was reassigned to Magistrate Judge Cathy Bissoon on August 1, 2008.

The Magistrate Judge's Report and Recommendation (Doc. 78), filed on November 3, 2008, recommended that the Partial Motion to Dismiss should granted with respect to all claims against Defendants Geragi, Williamson, O'Hara, Carnuche, Zaken, Good, Manson, Stickman, Delie, Ginchreau, Simpson, James and McConnell. This would leave only the claims raised against

Defendants Forte and Ecsedy. The parties were allowed ten days from the date of service of the report to file objections. Williams requested an extension of time to file objections (Doc. 79) and that request was granted, making objections due on or before December 19, 2008. Service was made on the Plaintiff by First Class United States Mail delivered to the State Correctional Institution at Smithfield. No objections have been filed.

After de novo review of the pleadings and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 29th day of Dec, 2008,

IT IS HEREBY ORDERED that the Partial Motion to Dismiss (Doc. 72) is GRANTED with respect to all claims against Defendants Geragi, Williamson, O'Hara, Carnuche, Zaken, Good, Manson, Stickman, Delie, Ginchreau, Simpson, James and McConnell. The case will continue as to Defendants Forte and Ecsedy.

The Report and Recommendation of Magistrate Judge Bissoon (Doc. 78), dated November 3, 2008, is adopted as the opinion of the court.



Gary L. Lancaster
U.S. District Court Judge

CC:
ANTHONY WILLIAMS AY-6759
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